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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

November 16, 1992

Ms. Donna R. Searcy, Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: Comments of WJAC, Incorporated in  
MM Docket 87-268

Dear Ms. Searcy:

There are transmitted herewith on behalf of WJAC, Incorporated, licensee of Station WJAC-TV, Johnstown, Pennsylvania, an original and four copies of its Comments In the Matter of Advance Television Systems and Their Impact Upon the Existing Television Broadcast Service (MM Docket No. 87-268).

Should there be any questions concerning these comments, kindly communicate with this office.

Very truly yours,



Earl R Stanley  
WILKINSON, BARKER, KNAUER & QUINN

Counsel for WJAC, Incorporated

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of

Advanced Television Systems  
and Their Impact Upon the  
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MM Docket No. 87-268

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**COMMENTS OF  
WJAC, INCORPORATED**

WJAC, Incorporated, by its counsel, hereby submits its comments with respect to the Commission's Second Further Notice of Proposed Rulemaking, FCC 92-332, released August 14, 1992 in the above-captioned docket ("Second Further Notice").

1. WJAC, Incorporated ("WJAC-TV") is the licensee of television Station WJAC-TV, Johnstown, Pennsylvania which operates on Channel 6 from a transmitter site atop Laurel Mountain with an effective radiated visual power of 70.8 kilowatts and an antenna height above average terrain of 1120 feet. From this location, WJAC-TV provides local, state and national news, sports, entertainment, NBC-TV network, and other programming and services to over 3,000,000 persons living in an area of 12,779 square miles (33,097 square kilometers) within the station's Grade B contour.

2. In its Second Further Notice, the Commission discusses the policies, procedures and general technical criteria it proposes to use in allotting ATV channels as its first step in a planned series of actions leading ultimately to the adoption of a final ATV Table of Allotments. WJAC-TV appreciates the opportu-

nity to submit comments on the issues presented in the Second Further Notice, and wishes to commend the Commission for its stated willingness to consider alternative proposals for the formulation of the underlying public interest principles for guidance in the Commission's planned development of a final ATV Table of Allotments.

3. The Commission also points out that its Table of ATV Allotments will ultimately be based on test data obtained from the five different ATV systems now being evaluated and cautions that the sample Table of ATV Allotments, attached to the Second Further Notice, is, therefore, subject to substantial change depending on the results of the testing process. The Commission also set forth several general principles which it states will govern and guide its deliberations in the ATV allotment process. These principles include, *inter alia*, the following: <sup>1/</sup>

The maximization of ATV service areas with a goal of providing a minimum 85-90 kilometer (about 55 miles) ATV service area for each eligible broadcaster.

The comments of WJAC-TV are principally directed to this 85-90 kilometer radius service area principle (the "55 mile standard").

4. WJAC-TV is particularly alarmed and concerned over the proposed use of the 55-mile standard as a guideline to the

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<sup>1/</sup> Other guiding allotment principles are: (1) the accommodation of all eligible existing broadcast stations with an ATV channel, (2) the use of existing TV stations transmitter sites in formulating the ATV Table of Allotments, (3) the utilization exclusively of the UHF band for ATV allotments, and (4) preference to ATV operations over current NTSC operations.

allotment of ATV channels. <sup>2/</sup> As shown hereinbelow, the use of such a standard will reduce the areas and TV homes currently served by Station WJAC-TV with an off-the-air service, contrary to both the interest of the people in areas now served by the station and to the larger public interest inherent in the Communications Act of 1934, as amended. An ATV allotment premised on the 55-mile standard would literally disfranchise thousands of present TV viewers. The Commission must recognize that TV viewers and TV homes are basic to the economic existence of the American private enterprise system of TV broadcasting and that losses of viewers have adverse economic consequences for all TV broadcasters. WJAC-TV urges the Commission to study the extent of the losses in TV service for the American public which will potentially result if the 55-mile standard is applied. WJAC-TV believes that a guideline based on an objective of not disfranchising any significant populations from enjoying present off-the-air TV services is more likely to achieve broadcaster and public acceptance and support of an ATV service.

5. Attached in support of these comments is an Engineering Statement by Mr. Robert Abele, the Chief Engineer for

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<sup>2/</sup> The Commission has recognized that its 55-mile standard will effectively reduce the service radius of all ATV stations to a maximum of 55 miles. Commission Extension Order, Attachment at 1-2 ("In proposing an 85-90 km goal for the maximum service area of ATV stations, the Second Further Notice chose the approximate distances now reached by the noise-limited service area of most existing UHF TV stations.") A majority of TV stations, including WJAC-TV, have service areas of greater than a 55 mile radius. A 55-mile maximum service area can only be implemented by reducing the service areas of a majority of America's TV stations.

Station WJAC-TV. Attached to this statement is a map of the Station's predicted Grade A and B coverage contours, as on file at the Commission. The WJAC-TV Designated Market Area and the 55-mile standard service contour are also shown. Mr. Abele concludes:

An analysis of the map revealed that a loss of television viewers would occur over large areas. The existing Grade B service contour encompasses 12,779 square miles (33,097 square kilometers). But, the Advanced Television service area contains only 9503 square miles (24,053 square kilometers). A 25.6% reduction in service area is indicated, a loss of 3,276 square miles (9,044 square kilometers).

6. In support of these comments there is also attached a Statement by Mr. Richard D. Schrott, Vice President and General Sales Manager of Station WJAC-TV, concerning the Johnstown-Altoona Designated Market Area (DMA) and the tremendous loss of TV homes and viewers within that area if the 55-mile standard is used as a guideline for final ATV allotments. Mr. Schrott concludes:

(1) WJAC-TV would be dramatically affected by the loss of viewing in TV households as follows:

Cameron County - 100% loss or 2,320 homes lost  
 Centre County 98% lost or 41,317 homes lost  
 Clearfield County - 45% lost or 13,176 homes lost  
 Elk County - 100% lost or 12,820 homes lost  
 Huntingdon County - 50% lost or 7,665 homes lost  
 Jefferson County - 45% lost or 7,745 homes lost

(2) The cumulative effect of the above is a 31% loss of audience potential. For Station WJAC-TV, the DMA would effectively go from 275,980 homes to 190,937 homes or in market rank terms from #91 to #117. The financial impact of such a drop could easily exceed \$1,000,000 in lost revenues.

7. WJAC-TV respectfully urges the Commission to consider and weigh the impact of the 55-mile standard upon com-

petitive conditions in hyphenated DMAs such as the Johnstown-Altoona DMA. The 55-mile standard does not take into account its potential economic impact upon individual TV stations in their respective DMAs or the public interest inherent in the perpetuation of current TV audiences. The loss of TV viewers and TV homes by Station WJAC-TV in the Johnstown-Altoona DMA would be economically disastrous and would jeopardize the very existence of that station. If the interest of the people of this area and the public interest are to be truly served, then the ATV allotment principles should aim towards assuring ATV coverage comparable to NTSC coverage and towards avoiding any loss of TV services by present TV viewers. The public fallout from such disfranchisement would be severe and should be avoided.

Respectfully submitted,

WJAC, INCORPORATED

By:

  
Earl R Stanley

WILKINSON, BARKER, KNAUER & QUINN  
1735 New York Avenue, N.W.  
Washington, D.C. 20006  
(202) 783-4141

Its Counsel

Dated: November 16, 1992



1949 Hickory Lane  
Johnstown, PA 15905  
814-255-7600

AN NBC AFFILIATE

First Telecast September 15, 1949

**FIRST IN STEREO**

## ENGINEERING STATEMENT

The future Advanced Television service area of Station WJAC-TV will be 85 - 90 kilometers (53 - 56 miles) according to the current Federal Communications Commission proposal. A map was prepared to compare the station's existing service area to the proposed new area. The map used was a copy of the one showing the predicted Grade A and B NTSC contours on record at the F.C.C. A circle scaled to depict a 55 mile (87.5 kilometer) service area was overlaid. Then, a trace representing the local Designated Market Area of the station was overlaid.

An analysis of the map revealed that a loss of television viewers would occur over large areas. The existing Grade B service contour encompasses 12,779 square miles (33,097 square kilometers). But, the Advanced Television service area contains only 9503 square miles (24,053 square kilometers). A 25.6% reduction in service area is indicated, a loss of 3,276 square miles (9,044 square kilometers).

I certify that I am Chief Engineer of Station WJAC-TV in Johnstown, Pennsylvania. The map showing the WJAC-TV Advanced Television service area and its analysis was prepared by me or under my direct supervision and is true and correct to the best of my knowledge and belief.

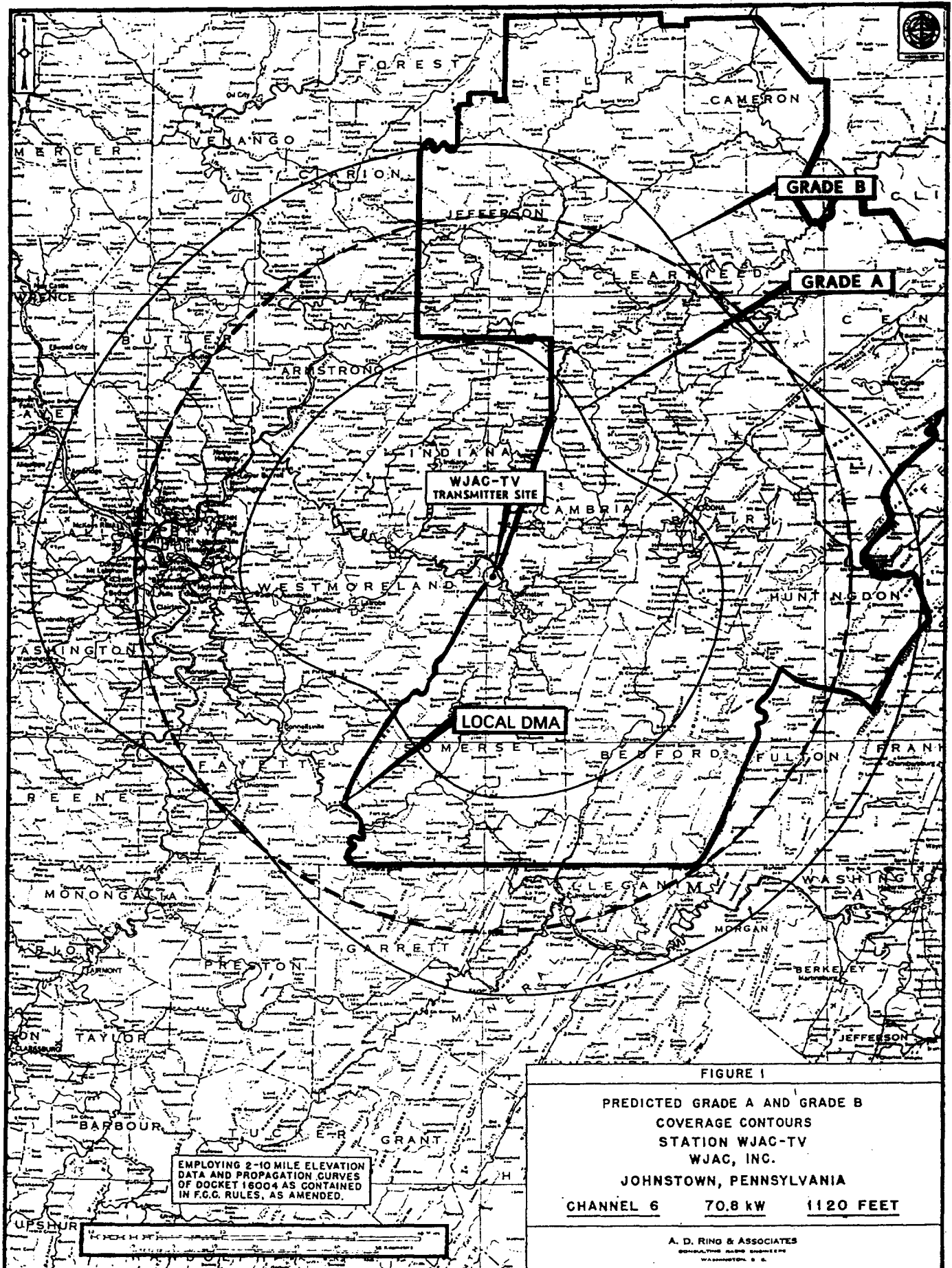
*Robert Abele*

Robert Abele  
Chief Engineer  
Station WJAC-TV

Dated this 13TH day of November, 1992

DOTTED LINE DEPICTS "BEST CASE" HDTV SERVICE AREA -  
55 MILE RADIUS UNDER CURRENT FCC PROPOSAL.

11/10/92





1949 Hickory Lane  
Johnstown, PA 15905  
814-255-7600

AN NBC AFFILIATE

First Telecast September 15, 1949

**FIRST IN STEREO**

**Analysis: The Current Johnstown-Altoona Designated Market Area**

An analysis of the current Johnstown-Altoona Designated Market Area (DMA) from the most recent Nielsen rating survey (July 1992) indicates the following results if the service area of station WJAC-TV was reduced to the 55 mile radius that the FCC proposed.

1. WJAC-TV would be dramatically affected by the loss of viewing in TV households as follows:

Cameron County - 100% lost or 2,320 homes lost  
Centre County - 98% lost or 41,317 homes lost  
Clearfield County - 45% lost or 13,176 homes lost  
Elk County - 100% lost or 12,820 homes lost  
Huntingdon County - 50% lost or 7,665 homes lost  
Jefferson County - 45% lost or 7,745 homes lost

2. The cumulative effect of the above is a 31% loss of audience potential. For WJAC-TV, the DMA would effectively go from 275,980 homes to 190,937 homes - or in market rank terms from #91 to #117. The financial impact of such a drop could easily exceed \$1,000,000 in lost revenues.

3. Of the current 10 county Johnstown-Altoona DMA, only 4 would remain unaffected.

I certify that I am Vice President and General Sales Manager of Station WJAC-TV. The analysis of the impact on the current Johnstown-Altoona Designated Market Area (DMA) by the proposed 55 mile service area was prepared by me or under my direct supervision. It is correct to the best of my knowledge and belief.

Richard D. Schrott  
Vice President and General  
Sales Manager  
Station WJAC-TV

Dated this 13th day of November, 1992

**CERTIFICATE OF SERVICE**

I, Marilyn D. Garrett, a secretary with the law firm of Wilkinson, Barker, Knauer & Quinn, certify that on this 16th day of November 1992, a copy of the foregoing "Comments of WJAC, Incorporated" was served by first-class U.S. mail, postage pre-paid, or by hand delivery, upon the following:

- \* Douglas W. Webbink, Chief  
Rules and Policy Division  
Federal Communications Commission  
2025 M Street, N.W. - Room 8010  
Washington, D.C. 20554
- \* Thomas P. Stanley, Chief Engineer  
Office of Engineering and Technology  
Federal Communications Commission  
2025 M Street, N.W. - Room 7002  
Washington, D.C. 20554

(Courtesy) Jonathan D. Blake, Esquire  
Covington & Burling  
1201 Pennsylvania Avenue, N.W.  
Box 7566  
Washington, D.C. 20044

(Courtesy) Association of Maximum Service  
Telecasters  
Suite 610  
1400 - 16th Street, N.W.  
Washington, D.C. 20036

  
Marilyn D. Garrett

\*By Hand Delivery